

**FILED**

JUN - 2 2020

Clerk, U S District Court  
District Of Montana  
Billings

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS DIVISION

MARY HARPER, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

PURPLE INNOVATION, INC.,


Defendant.

Case No. CV 20-38-BLG-SPW

**ORDER**

On May 11, 2020, the Defendant filed a motion to dismiss the complaint. (Doc. 9). On June 1, the Plaintiff filed an amended complaint. (Doc. 15). The amended complaint supersedes the original complaint, rendering the motion to dismiss moot. *Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015). The motion to dismiss the complaint (Doc. 9) is therefore denied.

DATED this 2<sup>nd</sup> day of June, 2020.

  
SUSAN P. WATTERS  
United States District Judge